

## Part 410 - COMPLIANCE WITH NEPA

### Subpart B - Related Environmental Concerns

CO410.26(g)(6)(iv)

#### §CO410.26 Protection of Wetlands.

##### (b) Purpose

The purpose of this part is to establish Colorado policy for the protection of wetlands and to provide guidance for implementing these policies.

##### (g) Wetland Mitigation

##### (6) Functional Assessment

(i) The Colorado NRCS will use hydrogeomorphic (HGM) models to assess wetland functions and values where appropriate models exist. Where no HGM model exists, the Colorado Wetland Evaluation Procedures Worksheet (COWET), Avian Richness Evaluation Method (AREM), or other approved models will be used. The AREM may be used only in the Colorado River Salinity Control Program/Environmental Quality Incentives Program areas. The HGM models and COWET are available in [Biology Technical Notes on the eFOTG](#). As other approved models become available, they will be issued as Biology Technical Notes and made available for use. Contact the State, Area, or Field office Biologist for information on procuring AREM and for guidance on which model is most appropriate.

(ii) All wetland determinations/ delineations will be certified and will be either verified or done in the field by trained wetland delineators. All wetland delineators must have passed the Corps of Engineers (COE) Regulatory IV class, or the equivalent class, before making certified determinations/ delineations.

(iii) For all routine wetland delineations, evidence of wetland indicators found on the field visit will be documented on the [routine method form](#) developed by the COE (or a regionally adapted COE form), or the forms in the National Food Security Act Manual (NFSAM). For comprehensive delineations, use the suggested forms in the NFSAM or the [1987 COE manual](#) or regional supplement.

(iv) Colorado NRCS will avoid or minimize wetland impacts. If impacts cannot be avoided, NRCS will mitigate impacted wetland functions that cannot be avoided or minimized at a 1:1 ratio. Mitigation amounts will be based on a functional assessment as described above in (g)(6)(i). For functional assessments that result in a mitigation/compensation level below a threshold level of 0.2 acres total and a loss of no more than 0.1 value in each individual function, no mitigation or minimization will be required unless the wetland is a fen, playa, provides habitat for threatened, endangered, candidate species, or species of special concern, or will have unacceptable cumulative effects.

- Fens are high elevation, spring-fed, palustrine emergent wetlands with organic soil. Colorado NRCS will not disturb or manipulate fens.

CO410-56(1)

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- When habitat for a threatened, endangered, candidate species, or species of special concern will be affected, the 1:1 ratio does not apply. In this case, NRCS will comply with the U.S. Fish and Wildlife Service's biological opinion or Colorado Division of Wildlife's recommendations.
- When the wetland is a playa, the threshold does not apply and mitigation will be required at the full 1:1 ratio.
- Cumulative effects of wetland losses will be considered before using the threshold.

CO410-56(2)

(190-GM, Amendment, CO-06, June 2007)